Juries, Rights of Negroes Respecting. - 1916

1916

Chicago Defender 3/11/16.

A LEGAL POINT.

A MUSKOGEE, OKLA., attorney defending a man charged with murder, raised a curious legal point when he demanded on certain technical grounds that his client be tried by a jury of his own race. In the light of the kind of justice meted out by southern white juries to any dark face that came before them, his plea was not unreasonable. There is no denying the fact that every one starts in with a handicap of 75 per cent, providing of course that they are fortunate enough to even get a trial, fair or unfair, for it must be remembered that mobs have the first say so.

While perhaps we suffer greatly by prejudiced juries it is conceded that the theory that a farmer should be tried by a jury of farmers, that a woman should be tried by a jury of women, and so on, is all wrong. Nothing could be more prejudicial to the cause of equal and exact justice than the idea that special consideration of race, creed, politics, sex, social station or any of the incidental social distinctions of humanity will insure justice.

The only safe and sane theory on which the administration of justice can be promoted is that all men are citizens before the law; that jurors will mete out justice impartially, regardless of all superficial considerations. If justice cannot be secured on the broad and common plane of citizenship, which is above all incidental facts of race, then justice cannot be secured at all and the administration of the law is unworthy the name. It is an up hill proposition to secure anything like justice in some sections of this country, for the black man. Still, with this condition staring us in the face it is better that no class distinctions be injected into the trial of any case, it would be but another form of "Jim Crowism," and of that we have had quite enough.

KITCHENS ~~MUST HANG~~ Conviction FOR KILLING BRANTLEY

1-18-16

U. S. Supreme Court Decides It Lacks Jurisdiction in Case of Georgia Negro.

Washington, January 17.—The supreme court today dismissed for want of jurisdiction the appeal of Robert Kitchens, a negro, from the action of the federal court of the southern district of Georgia in refusing to hold invalid his conviction and sentence to death for the murder of a white man named Brantley.

The supreme court was asked to act on the ground that negroes were not allowed to serve on the jury that convicted Kitchens.